

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 20, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-20805 - APPLICANT/OWNER: SAHARA INVESTMENTS, LLC

**** CONDITIONS ****

The Planning Commission (6-0-1/rt vote) and staff recommend APPROVAL, subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
4. The limits of this Petition of Vacation shall be defined as the stub portion of the alley located south of Cincinnati Avenue, west of Fairfield Avenue.
5. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request to Vacate a portion of an existing 27-foot wide alley, approximately 43.5 in length, generally located between west of Fairfield Avenue between Cincinnati Avenue and Sahara Avenue.

EXECUTIVE SUMMARY

This portion of the alley is surrounded by the applicant's property on the north, east and south sides and ends at this location. The alley is being vacated to combine with the adjacent parcels and proceed with the current development of the properties.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
03/22/61	The City Council approved a Rezoning (Z-0013-61) on a portion of the subject site from R-3 to C-1.
07/26/61	The City Council approved a Rezoning (Z-0026-61) on a portion of the subject property from R-3 to C-1.
06/24/76	The Board of Zoning Adjustment approved a Variance (V-0037-76) in order to permit a Wedding Chapel in a district where the use is not allowed.
01/07/87	The City Council approved a Rezoning (Z-0099-86) on a portion of the subject property in order to allow a Wedding Chapel use.
02/18/87	The City Council approved a Rezoning (Z-0107-86) on the subject property from R-3 and C-1 to C-1 and C-2 in order to permit the development of retail shops, gas sales and a convenience store, and a restaurant.
06/25/87	The Board of Zoning Adjustment approved a Variance (V-0066-87) from parking requirements for a shopping center on the subject property.
03/08/99	The City Council approved a Rezoning (Z-0002-99) to C-2 (General Commercial) on the subject property in order to permit the development of 54,580 square-foot shopping center. A Variance (V-0001-99) for relief from side, rear, and corner side yard setbacks was also approved in conjunction with the Rezoning request.
06/05/02	The City Council approved a Site Development Plan Review [Z-0002-99(1)] for the development of a 200-room hotel and casino on the site. Special Use Permits for a Hotel Lounge Bar (U-0042-02) and Non-Restricted Gaming (U-0043-02), and a Variance (V-0027-02) to allow the construction of a parking garage directly on the north property line and 12-foot high perimeter walls were also approved at that time.

06/02/04	The City Council approved an Extension of Time (EOT-4349) for the Variance (V-0027-02) request that allowed a zero-foot setback for the parking structure and 12-foot high perimeter walls.
08/04/04	The City Council approved a Site Development Plan Review (SDR-4534) and a Special Use Permit (SUP-4540) for a Mixed-Use development that is 39 stories tall, has 808 residential units and 35,500 square feet of commercial space. The Planning Commission and staff recommended approval.
12/16/2004	The Planning Commission approved a Tentative Map (TMP-5574) for an 810-unit mixed-use condominium subdivision on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue.
07/06/2005	The City Council approved a Site Development Plan Review (SDR-6588) 41 story mixed use development including; 900 residential units, 10,200 square-feet of commercial space and waivers from Downtown Centennial Plan section DS 3.1j to allow an 8-foot landscape buffer area where 10 feet is the minimum required, from section DS 5.1a to allow no wall alignment where 70 percent of the building street wall is require to align along the edge of the sidewalk or the median setback of existing buildings within the same block or street frontage, and from section DS 5.1i to allow building setbacks on only the 4th floor where building setbacks are required on the 4th, 11th, and 18th floors on 3.90 acres located at the northwest corner of Sahara Avenue and Fairfield Avenue.
05/10/07	The Planning Commission recommended approval of companion item VAR-20806 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #6/lhm).
<i>Related Building Permits/Business Licenses</i>	
Month/date/year	Description
08/03/2005	On sites (Permit #724786) and a 39-story building (Permit #724787)
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting is not required as part of this application, nor was one held.
<i>Field Check</i>	
04/04/07	Building under construction. Portion of alley to be vacated was within construction fencing.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.90

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	ROW	ROW	ROW
North	Multifamily Residential	C (Commercial)	C-2(General Commercial)
South	Multifamily Residential	C(Commercial)	C-1(Limited Commercial)
East	Multifamily Residential	C(Commercial)	C-2(General Commercial)
West	ROW	ROW	ROW

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	NA
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

The subject site is located within the Las Vegas Redevelopment Plan area and the Downtown Centennial Plan. The site is designated for Commercial uses under the Land Use Category of C (Commercial Use). The Commercial Use designation allows for uses that are normally permitted within the O, SC, and GC designations.

DEVELOPMENT STANDARDS

The above property is legally described as a 27-foot wide (27') public right-of-way (alley) beginning approximately 622 (622') feet west of Fairfield avenue and approximately 122 feet south of Cincinnati avenue and extending approximately 43-feet (43') west towards Tam drive. said property being a portion of the south half (S ½) of the Southeast quarter (SE ¼) of the West half (W ½) of the Southeast quarter (SE¼) of section 4, township 21 south, range 61 east, M.D.M.

ANALYSIS

A) Planning discussion

Planning has no objection to this request for a Vacation.

B) Public Works discussion

We present the following information concerning this request to vacate certain public street ROW:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will result in a uniform width as it is to eliminate a small portion of an alley which will be incorporated into an adjacent project.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, as the portion of the alley to be vacated does not currently handle any through traffic.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes, it is for a small portion of a public alley which was not previously included in a vacation, VAC-5902.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the Allure Condominiums project.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 5 by City Clerk

APPROVALS 0

PROTESTS 0